

COMMONWEALTH OF MASSACHUSETTS
WORCESTER, SS

TO ANY CONSTABLE IN THE TOWN OF WESTBOROUGH, IN THE COUNTY OF WORCESTER, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Westborough, qualified to vote in elections and town affairs, to meet in various precincts in Westborough on Tuesday, the 12th day of March, 2024 at 8:00 A.M. for the following purposes:

ARTICLE 1: Annual Town Election (Select Board)

To bring in their votes for:

- Two (2) Select Board members (3 years)
- One (1) School Committee member (3 years)
- One (1) Planning Board member (5 years)
- One (1) Assabet Valley Regional Vocational School Committee member (4 years)
- Three (3) Trustees of Public Library (3 years)
- One (1) Westborough Housing Authority member (5 years)
- One (1) Trustees of Soldiers' Memorials – Veteran (3 years)
- Two (2) Trustees of Soldiers' Memorials – Non-Veterans (3 years)

Polls will be open from 8 A.M. to 8 P.M. in the following places:

Precincts 1 – 6 Westborough High School, 90 West Main Street

And to act on the following articles at the adjourned session of said meeting on March 23, 2024, at 9:00 A.M. in the Westborough High School at 90 West Main Street.

The Article Information statements printed in italics are not part of the formal articles of the warrant. They constitute additional information offered for the benefit of the voters, true and correct as of the time of posting of the warrant, but subject to change as called for. They are not to be construed so as to broaden or limit the scope of the formal articles.

ARTICLE 2: Town Reports (Advisory Finance Committee)

To see if the Town will vote to hear the reports of the several Town officers and committees, and to dissolve any committees established by Town Meeting that have fulfilled their mission, or take any other action thereon.

The motion for this article requires a simple majority vote.

ARTICLE 3: Prior Years Bills

To see if the Town will vote to transfer from available funds a sum of money for the purpose of paying prior year bills for costs incurred in previous fiscal years, or take any other action thereon.

Article Information – This article would appropriate the funds necessary to pay outstanding bills incurred in previous fiscal years. Payment of prior years' bills require a Town Meeting vote. The motion for this article requires a four-fifths vote.

ARTICLE 4: FY2024 Golf Club Budget (Recreation Department)

To see if the Town will vote to transfer from Country Club Retained Earnings the sum of \$2,792 for the purpose of making an adjustment to the superintendent contract budget line, or take any other action thereon.

Article Information – At the end of calendar year 2023 the superintendent contract for the golf course expired. A new contract was awarded on January 1st, 2024. When putting together the budget for FY2024 we were unaware of what that new contract price would be and therefore will be short \$2,792 for FY2024.

ARTICLE 5: FY2024 Legal Expenses Budget (Select Board)

To see if the Town will vote to transfer from Free Cash a sum of money to the FY2024 Legal Expense Budget, or take any other action thereon.

Article Information – Legal expenses for FY2024 have exceeded the budgeted amount. At this time, the Town is proposing to level fund this budget in FY2025. The motion for this article requires a simple majority vote.

ARTICLE 6: FY2024 Finance Department Budget (Select Board)

To see if the Town will vote to transfer from Free Cash a sum of money to the FY2024 Finance Department Salary and Wages budget, or take any other action thereon.

Article Information – The Town has identified the need for additional positions in the Finance Department which have been added in FY2024. This article would fund the Salary/Wages for these positions through the end of the fiscal year. The motion for this article requires a simple majority vote.

ARTICLE 7: FY2024 Reserve Fund (Advisory Finance Committee)

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Thirty Four Thousand Six Hundred Seventy Seven Dollars (\$134,677) to the FY2024 Advisory Finance Committee Reserve Fund, or take any other action thereon.

Article Information – The Advisory Finance Committee has approved requests for reserve funds for extraordinary and unforeseen expenses including legal bills that exceed the budgeted amount, need for interim services in the Finance Department and covering of additional expenses related to elections and town meeting. The motion for this article requires a simple majority vote.

ARTICLE 8: Fiscal Year 2025 Operating Budgets (Advisory Finance Committee)

To see what sums the Town will vote to raise and appropriate or transfer from available funds for the support of the several offices, departments, boards and commissions of the Town of Westborough for Fiscal Year 2025 beginning July 1, 2024, and ending June 30, 2025, or take any other action thereon.

Article Information – The Town budgets, including all expenses, are estimated to increase/decrease. The motion for this article requires a simple majority vote.

ARTICLE 9: Elections and Town Meeting (Town Clerk)

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Six Thousand Nine Hundred Dollars (\$106,900), or such other amount as Town Meeting may approve, for the purpose of funding costs associated with elections and town meeting, including all costs incidental and related thereto, or take any other action thereon.

Article Information – For FY2025 we have removed costs associated with elections and Town Meeting from the operating budget and instead are proposing an article funded through Free Cash. This change allows the variability of this budget (based on number of elections and town meetings) to not impact the operating budget. Further, the Town receives reimbursement funds for the unfunded mandates related to expanded election requirements from the State and that money goes into the general fund after the election has taken place so therefore closes out to Free Cash. The motion for this article requires a simple majority vote.

ARTICLE 10: Regularly Recurring Articles (Town Manager)

To see what action the Town may take on the following items, **A** through **F**, which may be voted as a block, or singly, or in any combination, but, however voted, will be treated for accounting purposes as if each item was voted as a separate article:

A. Reserve Funds (Advisory Finance Committee)

To see if the Town will vote to transfer the sum of Two Hundred Fifty Thousand Dollars (\$250,000) or such other amount as the Town Meeting may approve, from Free Cash for the Finance Committee General Reserve Fund, transfer Twenty Thousand Dollars (\$20,000) or such other amount as the Town Meeting may approve, from Country Club Retained Earnings for the Country Club Reserve Fund, transfer Fifty Thousand Dollars (\$50,000) or such other amount as the Town Meeting may approve, from Water Retained Earnings for the Water Enterprise Reserve Fund, transfer Fifty Thousand Dollars (\$50,000) or such other amount as the Town Meeting may approve, from Sewer Retained Earnings for the Sewer Enterprise Reserve Fund, in accordance with Section 6 of Chapter 40 of the Massachusetts General Laws, or take any other action thereon.

Article Information – These accounts provide funding for unforeseen expenses during the year through various reserve funds. The motion for this article requires a simple majority vote.

B. Re-Stocking Sandra Pond (Sandra Pond Wardens/Recreation Department)

To see if the Town will vote to transfer from Free Cash the sum of Four Thousand Five Hundred Dollars (\$4,500), or such other amount as the Town Meeting may approve, to re-stock Sandra Pond, or take any other action thereon.

Article Information – This article funds the fish re-stocking at Sandra Pond as the Town has done in the past. The motion for this article requires a simple majority vote.

C: Request and Approve a Cable TV Budget (WestboroughTV)

To see if the Town will vote to appropriate and transfer from the Cable TV Enterprise Fund the sum of Three Hundred Thousand Dollars (\$300,000) for the purpose of funding the FY2025 Cable TV budget, or take any other action thereon.

Article Information – This will allow the Town to fund Westborough TV's Fiscal Year 2025 Cable TV budget without impacting the taxpayer. The motion for this article requires a simple majority vote.

D: July 4th Block Party (Recreation)

To see if the Town will vote to transfer from Free Cash the sum of Three Thousand Five Hundred Dollars (\$3,500), or such other amount as the Town Meeting may approve, for the annual July 4th celebration to be expended by the Westborough July 4th Committee under the direction of the Select Board, or take any other action thereon.

Article Information – This article pays part of the cost for the annual July 4th celebration. The motion for this article requires a simple majority vote.

E: Small Business Grant Program (Economic Development Committee)

To see if the Town will vote to transfer from Free Cash the sum of Sixty Thousand Dollars (\$60,000), or such other amount as Town Meeting may approve, for the purpose of funding the Small Business Grant Program, including all costs incidental and related thereto, or take any other action thereon.

Article Information – This program was funded through an article for FY2024 and has now been added to the Regularly Recurring articles for FY2025 and would fund the Small Business Grant Program that is administered by the Economic Development Committee. The motion for this article requires a simple majority vote.

F: Tuition Reimbursement (Select Board)

To see if the Town will vote to transfer from Free Cash the sum of Forty Nine Thousand Dollars (\$49,000), or such other amount as the Town Meeting may approve, for the purpose of funding employee tuition reimbursement, or take any other action thereon.

Article Information – This article funds tuition reimbursement to allow the Town to meet its obligation to the Collective Bargaining Units and Personnel Policies. The Town funds the amount that is estimated to be used during the upcoming fiscal year. The motion for this article requires a simple majority vote.

ARTICLE 11: Capital Improvement Plan (Capital Expenditure Planning Committee/Various Sponsors)

To see what action the Town may take on the following items, **A** through **P**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item was voted as a separate article:

A. Town Hall Security System (Emergency Management)

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Seven Thousand Three Hundred Thirteen Dollars (\$107,313), or such other amount as Town Meeting may approve, for the purpose of purchasing, installing and upgrading a security system, including access control, in the Town Hall, including all costs incidental and related thereto, or take any other action thereon.

Article Information - The Town of Westborough initiated a safety and security project in FY2024 to support the installation and/or upgrade of access control and video monitoring equipment within Town-owned infrastructure. To date, the community has improved camera systems (including storage capability) at the Forbes Building, Fire Station, and throughout the School District. Compatible equipment has been purchased to support public safety permitting reliable ingress for first responders. As this project continues to be built out, the Emergency Management Division seeks funding to install access control and security cameras in Town Hall. The cost of this project will be offset by an earmark provided by the Commonwealth of Massachusetts. The total cost of the project is \$129,812.58, which will be reduced by the \$22,500 earmark. The motion for this article requires a simple majority vote.

B. Mobile Column Lifts (Fire Department)

To see if the Town will vote to transfer from Free Cash the sum of Ninety Six Thousand Five Hundred and Thirty Dollars (\$96,530), or such other amount as Town Meeting may approve, for the purpose of purchasing mobile column lifts, including all costs incidental and related thereto, or take any other action thereon.

Article Information – The Westborough Fire Department employs two Firefighter/Paramedics who are also certified diesel mechanics. Contractually, both mechanics receive a stipend to maintain the fleet of vehicles that are assigned to the department as well as a complement of motorized and electric tools. This fleet consists of 3 Engine Companies, a Heavy Rescue, 2 Ladder Companies, 4 Ambulances, a Forestry Truck, a Dive/Rescue vehicle, and 8 support vehicles inclusive of a UTV, SUV's, and a foam trailer. This apparatus has a value that exceeds \$10 million dollars. The department seeks funding to procure mechanical equipment capable of lifting our apparatus to facilitate repairs at the fire station. This equipment includes 6 mobile lifts capable of lifting 18,000 pounds each and 2 high reach jack stands. The motion for this article requires a simple majority vote.

C. Ambulance Replacement (Fire Department)

To see if the Town will vote to transfer from Free Cash the sum of Three Hundred Eight Thousand Four Hundred Ninety Eight Dollars (\$308,498), to transfer from Ambulance Receipts Reserve the sum of One Hundred Twenty Three Thousand Dollars (\$123,000), or such other amount as Town Meeting may approve, for the purpose of purchasing and equipping an ambulance, including all costs incidental and related thereto, or take any other action thereon.

Article Information – The Fire Department currently operates an Advanced Life Support (ALS) ambulance service and maintains a fleet of three front-line ambulances and a fourth reserve/back-up ambulance. The Department has established a rotating schedule to purchase a

new front-line ambulance approximately every three years. This request seeks funding to replace Medic 2, a 2016 Ford Lifeline Ambulance that currently has 135,000 miles on it and nearly 7000 engine hours. At the time of replacement this ambulance will be 11 years old, and the 2018 ambulance will be removed from front-line service and become the back-up/ reserve. The motion for this article requires a simple majority vote.

D. Police Vehicles (Police Department)

To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Sixty Five Thousand Dollars (\$265,000), or such other amount as Town Meeting may approve, for the purpose of purchasing and equipping four police vehicles, including all costs incidental and related thereto, or take any other action thereon.

Article Information – This request seeks to replace four (4) vehicles following a fleet replacement schedule. Police vehicles are often used 24 hours a day and 7 days a week. In order to properly manage the fleet, a regular replacement schedule is needed to ensure the fleet does not become unreliable. A regular replacement schedule also improves officer safety and cuts down on maintenance costs. Having just one cruiser out of service puts a strain on the department’s operations. The prices are based on the Greater Boston Police Council bid contract or the Plymouth County bid. The motion for this article requires a simple majority vote.

E. Administrative Vehicle Replacement (Public Works/Building Department/Health Department)

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Twelve Thousand Five Hundred Dollars (\$112,500), transfer from Sewer Retained Earnings the sum of Twelve Thousand Five Hundred Dollars (\$12,500), transfer from Water Retained Earnings the sum of Twelve Thousand Five Hundred Dollars (\$12,500), and raise and appropriate the sum of Twelve Thousand Five Hundred Dollars (\$12,500) from and through the Stormwater Utility Enterprise Fund, or such other amount as Town Meeting may approve, for the purpose of purchasing and equipping vehicles, including all costs incidental and related thereto, or take any other action thereon.

Article Information - This request seeks to replace three administration vehicles. These vehicles support the Public Works, Building and Health departments during year round all-weather inspections/operations in the field. Purchasing all- or four-wheel drive vehicles is important because department staff use them to conduct inspections throughout the year, including during inclement weather. Additionally, access to many job sites that staff travel to require that the vehicles be driven on unpaved surfaces and/or rough terrain. These vehicles will be purchased according to the Town’s policy for purchasing fuel efficient vehicles as required under the Green Community program. The motion for this article requires a simple majority vote.

F. One Ton Vehicle Replacement (Public Works)

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Ninety Thousand Dollars (\$190,000), or such other amount as Town Meeting may approve, for the purpose of purchasing and equipping of vehicles, including all costs incidental and related thereto, or take any other action thereon.

Article Information - This request seeks to replace two one ton trucks with similar trucks equipped with a plow & trailer. The one-ton fleet is the most heavily used within the DPW and the vehicles are used for all DPW operations. The General Accounting Services Board recommended useful life for these vehicles is 10 years. At the time of replacement, these trucks will be beyond their recommended useful life. The motion for this article requires a simple majority vote.

G. Six Wheel Dump Truck Replacement (DPW)

To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Ninety Nine Thousand Dollars (\$299,000), or such other amount as Town Meeting may approve, for the purpose of replacing and equipping a dump truck, including all costs incidental and related thereto, or take any other action thereon.

Article Information - This request seeks to replace a six-wheel dump truck. This vehicle will be used to haul material in support of roadway repairs, treat roads to minimize ice, and conduct snow plowing operations. The General Accounting Services Board recommended useful life for these vehicles is 10 years and the vehicles being replaced will have exceeded their useful lives at the time of replacement. The motion for this article requires a simple majority vote.

H. Jet Vac Truck Replacement (DPW)

To see if the Town will vote to transfer from Sewer Retained Earnings the sum of Two Hundred Nine Thousand Dollars (\$209,000), transfer from Water Retained Earnings the sum of Two Hundred Nine Thousand Dollars (\$209,000), and raise and appropriate the sum of Two Hundred and Nine Thousand Dollars (\$209,000) from and through the Stormwater Utility Enterprise Fund, or such other amount as Town Meeting may approve, for the purpose of purchasing and equipping a Jet Vac Truck, including all costs incidental and related thereto, or take any other action thereon.

Article Information – This request seeks to replace a 2007 Jet/Vac Truck with a similar model. The purchased vehicle will be used to support daily water, sewer, and highway division operations. The vehicle jets sewer and stormwater pipes to clean and clear clogs. The vac supports debris removal at excavation sites and wastewater removal at pump stations and sewer manholes. The General Accounting Services Board recommended useful life for this piece of equipment is 10-year, it is beyond its recommended useful life. The motion for this article requires a simple majority vote.

I. Town Water Management Improvements (Department of Public Works)

To see if the Town will vote to transfer from Water Retained Earnings the sum of Two Hundred Seventy-Five Thousand Dollars (\$275,000), or such other amount as the Town Meeting may approve, for design, repair, or replacement of various water infrastructure and associated work, including all incidental and related costs.

Article Information - This article provides funding for improvements associated with the Town's water distribution system. The primary assets that are the focus for this funding are water gate

valves and metering infrastructure. Replacement of aged and inoperable gate valves is essential for water operators to ensure an efficient and rapid shutdown of a portion of the water system if necessary to conduct maintenance or emergency repairs. A 2023 water meter assessment report, completed to identify opportunities to reduce water loss, recommends downsizing and replacing meters greater than 1.5 inches. Funding from this article will enable replacement of oversized and aged meters and introduce advanced metering infrastructure that will enable near real-time meter reading. This request was presented to the Capital Expenditure Planning Committee and was recommended for funding. The motion for this article requires a simple majority vote.

J. Town Sewer System Improvements (Department of Public Works)

To see if the Town will vote to transfer from Sewer Retained Earnings the sum of One Hundred Fifty Thousand Dollars (\$150,000), or such other amount as the Town Meeting may approve, for repair or replacement of various sewer infrastructure and associated work, including all incidental and related costs.

Article Information - This article provides funding for capital improvements associated with the Town's sewer collection system. The funds will be used to replace assets that have a useful life of 20+ years. The primary assets that are the focus for this work are sewer station pumps, impellers, and controls. The Town operates and maintains 32 pump stations. This request was presented to the Capital Expenditure Planning Committee and was recommended for funding. The motion for this article requires a simple majority vote.

K. Town Sewer System (Department of Public Works)

To see if the Town will vote to transfer from Sewer Retained Earnings the sum of Three Hundred Thousand Dollars (\$300,000), or such other amount as the Town Meeting may approve, for the design and repair or replacement of various sewer infrastructure and associated work, including all incidental and related costs.

Article Information - This article provides funding for design to support renovations at sewer pump stations. A 2023 Condition Assessment documents the existing conditions at three stations and provides recommendations for work that should be completed to extend the life of each station. The recommendations include structural, plumbing, instrumentation, controls, and site improvements. This request was presented to the Capital Expenditure Planning Committee and was recommended for funding. The motion for this article requires a simple majority vote.

L. Utility Vehicle Replacement (Recreation Department)

To see if the Town will vote to transfer from Country Club Retained Earnings the sum of Sixty Five Thousand Dollars (\$65,000), or such other amount as Town Meeting may approve, for the purpose of replacing and equipping a utility vehicle, including all costs incidental and related thereto, or take any other action thereon.

Article Information - This request seeks funding to replace a utility vehicle that is used daily to haul fertilizer, chemicals, seed, and other equipment/materials onto the golf course. The Golf Club's current utility vehicle will be 19 years old at the proposed time of replacement with well over 4,000 engine hours, and well past its useful life. The motion for this article requires a

simple majority vote.

M. Rough Mower Replacement (Recreation Department)

To see if the Town will vote to transfer from Country Club Retained Earnings the sum of Ninety-Five Thousand Dollars (\$95,000), or such other amount as Town Meeting may approve, for the purpose of replacing and equipping a rough mower, including all costs incidental and related thereto, or take any other action thereon.

Article Information – This request seeks funding to replace the Golf Club's 2015 Toro Groundmaster 4500D Rough Mower. The machine is used to mow the areas around the actual golf course known as the "the rough." The current rough mower is nine years old and at the proposed time of replacement will be 10 years old with over 4,000 engine hours. As this mower approaches the end of its useful life it requires more frequent and more costly maintenance. The motion for this article requires a simple majority vote.

N. High School Exterior RIM Repairs Design (School Department)

To see if the Town will vote to transfer from Free Cash the sum of Sixty Thousand Dollars (\$60,000), or such other amount as Town Meeting may approve, for the purpose of funding high school rim repairs, including all costs incidental and related thereto, or take any other action thereon.

Article Information – This request is to fund the Architectural Design and Engineering needed for the RIM repair and development of bid documents. The request is for 12% of the estimated cost of the project. Retrofit to the Exterior RIM for 6500 Sq. Ft. of aluminum metal fascia that will need to be installed. This will involve retrofitting and installing top perimeter .040 aluminum wall panels directly over the existing concrete fascia panels. Hat channels would be fastened directly into the existing concrete providing air space and moisture prevention, the wall panels would then be installed over the top of the hat channels and then flashed into a new coping cap located around the perimeter of the building. In addition to not allowing any water to enter the top perimeter wall panels, the new metal wall panels would update the look of the aging building. The new metal wall panels should provide a watertight solution for the next 30 to 40 years. The motion for this article requires a simple majority vote.

O. High School C Wing Roof Restoration Design (School Department)

To see if the Town will vote to transfer from Free Cash the sum of One Hundred Ninety Two Thousand Dollars (\$192,000), or such other amount as Town Meeting may approve, for the High School C Wing Roof Restoration Design, including all costs incidental or related thereto, or take any other action thereon.

Article Information – This request seeks to fund architectural design to provide a fully reinforced roof restoration which involves the installation of two full coats of a polyurea coating, with a reinforcing scrim fabric sandwiched in between the two coats. The resulting coating would be just as thick, if not thicker, than a new single ply roofing system and cost roughly half the price. The request is for 12% of the estimated cost of the project. This option would come with a 20-year warranty and the cost is estimated at +/- \$1.6M. The motion for this article requires a simple majority vote.

P. High School A and B Wing Roof Replacement Design (School Department)

To see if the Town will vote to transfer from Free Cash the sum of Five Hundred Four Thousand Dollars (\$504,000), or such other amount as Town Meeting may approve, for the High School A and B Wing Roof Replacement Design, including all costs incidental or related thereto, or take any other action thereon.

Article Information – This request is for funding for the architectural design and structural assessment needed for future roof load needs including air handlers and structural support for potential solar panels and Public Bid process in order for accurate pricing. The request is for 12% of the estimated cost of the project and funds the design work for the replacement of approximately 70,000 square feet of roof (Sections A&B). This option would come with a 40-year warranty, with a life expectancy of up to 50 years with proper inspections and maintenance. The cost of the full scope is estimated at +/- \$4.2 million. The motion for this article requires a simple majority vote.

ARTICLE 12: Capital Improvement Plan - Borrowing Articles (Town Manager/Capital Expenditure Planning Committee)

To see what action the Town may take on the following items, **A** through **D**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item was voted as a separate article:

A. Mill Pond School Roof Restoration (School Department)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of One Million One Hundred Thousand Dollars (\$1,100,000), or such other amount as Town Meeting may approve, for the restoration of the Mill Pond School roof, including all costs incidental or related thereto, and to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum under M.G.L. Chapter 44, Section 7 or any other enabling authority and to issue bonds or notes of the Town therefor, and further to authorize the Select Board and appropriate Town officers to enter into all agreements and execute any and all instruments and to take all related actions necessary or appropriate to effect the foregoing, or take any other action thereon.

Article Information – This request is to fund the installation of approximately 58,000 square feet of polyurea coating, with a reinforcing scrim fabric sandwiched in between the two coats. The resulting coating would be just as thick, if not thicker, than a new single ply roofing system roof. This will come with a 20-year warranty and the cost is estimated at +/- \$1.1M. The motion for this article requires a 2/3 vote.

B. Hastings Elementary School ADA and MAAB Construction (School Department)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of Five Million Dollars (\$5,000,000), or such other amount as Town Meeting may approve, for the purpose of funding design, construction and project management costs to meet Americans with Disabilities Act and Massachusetts Architectural Access Board requirements at the Hastings Elementary School, including all costs incidental or related thereto, and to meet this

appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum under M.G.L. Chapter 44, Section 7, or any other enabling authority, and to issue bonds or notes of the Town therefor, and further to authorize the Select Board and appropriate Town officers to enter into all agreements and execute any and all instruments and to take all related actions necessary or appropriate to effect the foregoing, or take any other action thereon.

Article Information – This request will fund efforts to meet ADA and MAAB requirements in the Hastings Elementary School. The MAAB and ADA scope of work has to be completed before any HVAC can occur. The ADA and MAAB estimated cost is \$5,000,000. The motion for this article requires a 2/3 vote.

C. Library Building Repair Design (Library)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of One Million Six Hundred and Three Thousand Eight Hundred Fifty Two Dollars (\$1,603,852) to fund design development, a detailed cost estimate, and create bid documents for building improvements to the Westborough Public Library, including all costs incidental or related thereto, and to meet this appropriation, to authorize the Treasurer, with the approval of the Select Board, to borrow said sum under M.G.L. Chapter 44, Section 7 (1) as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor, said sum to be expended under the direction of the Library Building Committee, which is authorized to enter into all agreements and execute any and all instruments and to take all related actions necessary or appropriate to effect the foregoing, or take any other action thereon.

Article Information – This article would fund design development, a detailed cost estimate, and create bid documents. If approved, we would begin this work and come back to a future Town Meeting for appropriation to fund construction/renovation. The motion for this article requires a 2/3rds vote.

D. Town Water Supply Improvements (Department of Public Works)

To see if the Town will borrow the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000), or such other amount as the Town Meeting may approve, for design, replacement, installation, or repair of various water supply infrastructure and associated work, including all incidental and related costs; and to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum under M.G.L. Chapter 44, Section 8 or any other enabling authority and to issue bonds or notes of the Town therefor, and further, to authorize the Select Board and appropriate Town officers to enter into all agreements and execute any and all instruments and to take all related actions necessary or appropriate to effect the foregoing, or take any other action thereon.

Article Information – This article allows the continuation of work to maintain and improve the Town's water infrastructure by funding the lining and replacement of a water line along Route 9. Determination of the infrastructure to be replaced is informed by the Town's Water System Study Update, which was completed in January 2020 by an engineering consultant. This request was presented to the Capital Expenditure Planning Committee and was recommended for funding. The motion for this article requires a 2/3 majority vote.

ARTICLE 13: Fire Department Core Switches (Information Technology)

To see if the Town will vote to transfer from Free Cash the sum of Nineteen Thousand Five Hundred Dollars (\$19,500), or such other amount as Town Meeting may approve, for the purpose of upgrading core switches for the Fire Department, including all costs incidental and related thereto, or take any other action thereon.

Article Information – This request is to fund an upgrade to the core switches at the Westborough Fire Department. The core switches at the Fire Station will be 10 years old in FY2025 and are no longer supported. The motion for this article requires a simple majority vote.

ARTICLE 14: Historical Commission Funding (Historical Commission)

To see if the Town will vote to transfer from Free Cash the sum of Twenty Four Thousand Three Hundred Dollars (\$24,300), for the purpose of surveying Town properties to determine historic or archaeological value, including all costs incidental and related thereto, or take any other action thereon.

Article Information – Approval of this article will allow the Historic Commission to complete additional surveying of Town properties to determine their historic and/or archaeological value. Massachusetts General Law Chapter 40 B, Section 8D established Historical commission powers and duties as including the “shall conduct research for places of historic or archaeological value.” The Commission is also pursuing a grant from the Massachusetts Historical Commission to fund a portion of this project. The motion for this article requires a simple majority vote.

ARTICLE 15: Open Space and Recreation Plan Update (Open Space Committee/Recreation Department)

To see if the Town will vote to transfer from Free Cash a sum of money for the purpose of engaging a consultant to assist the Town in completing the required update to its Open Space and Recreation Plan, or take any other action thereon.

Article Information: The current Open Space & Recreation Plan is valid through 2024, with a plan update required in 2025. The current plan is also heavily weighted to passive recreation & open space objectives & goals and will require substantive updates to include the active recreation priorities of the Town. There are also new requirements from the Massachusetts Executive Office of Energy & Environmental Affairs, Division of Conservation Services, concerning areas such as accessibility, environmental justice, and community involvement that will benefit from a consultant who is familiar with these requirements. The plan update is required for the Town to remain eligible to apply for many state grant programs. The motion for this article requires a simple majority vote.

ARTICLE 16: Municipal Decarbonization Study (Sustainable Westborough/Community Development)

To see if the Town will vote to transfer and appropriate from Free Cash a sum of money for the purpose of conducting an engineering study on decarbonization of municipal and school buildings and vehicles, or take any other action thereon.

Article Information – The Town is investigating applying to the Massachusetts Climate Leader Communities program. A requirement of the application is a Municipal Decarbonization Roadmap. This study will provide an analysis of current Town operations and will recommend a plan

for the Town that is aligned to the Climate Leaders Communities application requirements. The motion for this article requires a simple majority vote.

ARTICLE 17: Cedar Swamp Watershed Flood Mitigation (Department of Public Works)

To see if the Town will vote to raise and appropriate sum of Ninety-Two Thousand Five Hundred Dollars (\$92,500) from and through the Stormwater Utility Enterprise Fund, or such other amount as the Town Meeting may approve, for the maintenance and/or repair of stormwater management sites contributing to Cedar Swamp and associated work, including all incidental and related costs, or take any other action thereon.

Article Information – This article provides funding for maintenance of a swale that runs from the railroad bridge at East Main St, parallel to Colonial Drive, into Cedar Swamp. Over time, sediment and debris collect in the swale, taking up space that is necessary for water storage and conveyance. Maintenance of the swale will assist with mitigating flooding on East Main St at the railroad bridge during significant rain events. The motion for this article requires a simple majority vote.

ARTICLE 18: Golf Club Building (Municipal Building Committee)

To see if the Town will vote to transfer from available funds a sum of money, or such other amount as Town Meeting may approve, for the purpose of funding a feasibility study for the Golf Club Building project, including all costs incidental and related thereto, or take any other action thereon.

Article Information –The Municipal Building Committee is seeking funds to complete a feasibility study for the Golf Club Building project consistent with the Golf Club Building Use Committee recommendations which were accepted by the Select Board. The motion for this article requires a simple majority vote.

ARTICLE 19: Hastings Elementary School Roof Replacement (School Department)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of Four Million One Hundred Forty Two Thousand Eight Hundred Dollars (\$4,142,800), or such other amount as Town Meeting may approve, for the replacement of the Hastings Elementary School roof, including all costs incidental or related thereto, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum under M.G.L. Chapter 44, Section 7 or any other enabling authority and to issue bonds or notes of the Town therefor, and further, to authorize the Select Board and appropriate Town officers to enter into all agreements and execute any and all instruments and to take all related actions necessary or appropriate to effect the foregoing, or take any other action thereon.

Article Information – This request is to fund the replacement of the full roof, approximately 80,000 square feet, with multi-ply, redundant, roof assembly installed in cold adhesive. This multi-ply roof is warranted for 40 years, with a life expectancy of up to 50 years with proper inspections and maintenance. The School Department was granted an emergency waiver by the Department of Capital Asset Management (DCAM) to expedite the replacement of the roof. The motion for this article requires a 2/3 vote.

ARTICLE 20: Acquisition of Property at 0 Bowman Street (Open Space Committee/ Conservation Department)

To see if the Town will vote to appropriate the sum of \$615,000 for the purpose of acquiring the Ellis-Walker Property, which property is located at 0 Bowman Street, shown as “Parcel A” on a plan entitled “Plan of Land in Westborough and Upton Massachusetts”, prepared by R.W. Hart Associates, Inc., dated March 1, 2006, recorded with the Worcester South District Registry of Deeds in Plan Book 874, Page 64, described as Parcel 2 in a deed recorded in Book 66693, Page 321, and consisting of 34 acres, more or less, excluding, however, an approximately 15,000 square foot portion thereof shown as “Parcel A-2” on the plan recorded in Plan Book 669, Page 101, and \$25,000 for the initial stewardship of said property, and, as funding for the foregoing, to transfer the sum of \$507,500 from Free Cash and transfer and expend \$107,500 from the Walkup Robinson Fund; to authorize the Select Board to acquire said property by purchase, gift, and/or eminent domain for conservation and passive recreation purposes on such terms and conditions as the Select Board deems appropriate, which parcel shall be under the case, custody and control of the Conservation Commission under the provisions of M.G.L. Chapter 40, Section 8C, as it may hereafter be amended and other Massachusetts statutes relating to conservation; to authorize the Select Board, the Conservation Commission and/or their designee to apply for, accept and expend funds on behalf of the Town from the Commonwealth of Massachusetts or other public or private sources to defray all or a portion of the costs of acquisition, including, but not limited to, grants and/or reimbursements from the Commonwealth under the Land and Water Conservation Fund (LWCF) Act (P.L. 88-578, 78 Stat 897), and/or any other federal, state or other grants or reimbursement in any way connected with the scope of this article; to authorize the Select Board and the Conservation Commission to enter into any and all agreements and execute any and all instruments as may be necessary or convenient to effectuate said acquisition; and, further, to authorize the Select Board and the Conservation Commission to convey a perpetual conservation restriction on said parcel to Sudbury Valley Trustees, Inc. or any other qualified organization meeting the requirements of MGL Chapter 184, Sections 31-33; provided, however, that the funds appropriated by this vote shall not be expended unless the Town receives a commitment for grants, gifts or other contributions of no less than \$307,500 for the foregoing acquisition and funds in the amount of at least \$200,000 from Sudbury Valley Trustees, Inc. or other organization for the conveyance of the perpetual conservation restriction, which grants and funds, once received, will reimburse the Town solely for the cost of acquiring said property (and not for the stewardship fees, which will be expended from the Walkup Robinson Fund), or take any other action thereon.

Article Information - This article seeks to provide authorization for the Select Board to acquire the Ellis-Walker Property located at 0 Bowman Street for conservation and passive recreation purposes. The funds appropriated by this article will not be expended until the Town receives a commitment for a grant of \$307,500 from the Land and Water Conservation Fund and \$200,000 from Sudbury Valley Trustees, Inc. or other organization for the grant of a perpetual conservation restriction, which grants and funds, once received, will reimburse the Town \$507,500 of the purchase price. Initial stewardship funds of \$25,000 and \$107,500 of the purchase price shall be contributed by the Walkup Robinson Trust and shall not be reimbursed. The motion for this article requires a 2/3 majority vote.

ARTICLE 21: Transfer of 45 High Street Extension (Affordable Housing Trust)

To see if the Town shall transfer the care, custody and control of the property at 45 High Street

Extension, identified by the Assessors' as Parcel 27-171-0 and described in a deed recorded with the Worcester South District Registry of Deeds in Book 3171, Page 93, from the tax custodian for tax title purposes to the Select Board for the purpose of conveyance, and, further, to authorize the Select Board to convey said parcel to the Westborough Affordable Housing Trust for low and moderate income housing purposes on such terms and condition as the Select Board may deem in the best interests of the Town, or take any other action thereon.

Article Information – This article would transfer property located at 45 High Street to the Affordable Housing Trust for the purpose of developing low and moderate income housing. The Trust has investigated the potential use of the property for this purpose and has viable concepts for the development of four single-family homes. The motion for this article requires a 2/3rds vote.

ARTICLE 22: Roadway Acceptance - Ed Waters Way (Department of Public Works)

To see if the Town will vote to accept the layout of Ed Waters Way as a public way, as heretofore laid out by the Select Board and shown on a plan entitled “Street Acceptance Plan of Land ‘Reservoir Estates’, Ed Waters Way, Westborough, MA,” dated September 10, 2023, revised through December 20, 2023, and prepared by Guerriere & Halnon, Inc., a copy of which is on file in the office of the Town Clerk, and, further, to authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, the fee or easement in said street for all purposes for which public ways are used in the Town of Westborough and any drainage, utility, access, water and/or other easements related thereto, or take any other action thereon.

Article Information – This article seeks to make Ed Waters Way a public way. Ed Waters Way is a subdivision road within the six-lot Reservoir Estates subdivision created by the Planning Board’s approval of definitive subdivision plan with conditions dated February 18, 2003, which approval is recorded with the Worcester District Registry of Deeds in Book 39859, Page 163. The developer is ready to turn this road over to the Town. The motion for this article requires a 2/3 vote.

ARTICLE 23: Establishment of Stabilization Fund by Assabet Valley Regional Vocational Technical School (Assabet Valley Regional Vocational Technical School Committee)

To see if the Town will vote to approve the Assabet Valley Regional Vocational Technical School Committee’s vote on January 9, 2024 to establish a Stabilization Fund for the Assabet Valley Regional Vocational Technical School District, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law and further set up an operational line item to be created to transfer available monies into said Stabilization Fund; or take any other action thereon.

Article Information – This warrant article is necessary in order for the Assabet Valley Regional Vocational Technical School District to create a Stabilization Fund. Once established, the funds to be deposited in said Stabilization Fund would be subject to appropriation by the Regional School Committee for any purpose for which the School District may borrow money or for such other School District purpose as the commissioner of elementary and secondary education may approve. The motion for this article requires a simple majority vote.

ARTICLE 24: Acceptance of Easements for Boston/Worcester Airline Trail (BWALT) (Director of Planning)

To see if Town will vote to authorize the Select Board to acquire, by purchase, gift and/or eminent domain, permanent and temporary easements for trail. recreational and construction purposes in, on or under the following parcels of land:

Map/Lot	Address	Owner
25-1-0	54 Otis Street	Atlantic-Westboro Realty, LLC
25-3A-0	60 and 64 Otis Street	Atlantic-Westboro Realty, LLC
25-4-0	66 Otis Street	19 th Hole Realty LLC
27-62B-0 27-62A-0	180-182 Turnpike Road	TTHY Westborough, LLC
27-66A-0	208 Turnpike Road	Blue Ocean Capital, LLC

Or take any other action thereon.

Article Information: This article would authorize the Select Board to obtain easements on behalf of the Town for trail purposes, including the east-west trail that has been planned for several years. This article adds some additional easements identified in work on the BWALT multi-use trail as part of the BWALT Multi-Use Trail Feasibility Study, dated September 2021, and other trail easements. The motion for this article requires a simple majority vote.

ARTICLE 25: Sidewalk Easements (Director of Planning)

To see if Town will vote to authorize the Select Board to acquire, by purchase, gift and/or eminent domain, permanent and temporary sidewalk, utility, construction, drainage and any and all other related easements for the _____ Sidewalk Project, in, on, under and over the parcels of land shown on a plan entitled “ _____”, prepared by _____, as said plan may be amended from time to time and/or replaced with an easement plan, and on parcels on land within 200 feet of said parcels, or take any other action thereon:

Article Information: This article would authorize the Select Board to obtain sidewalk and related easements for the purpose of undertaking the _____ Project. The motion for this article requires a two-thirds vote.

ARTICLE 26: Acceptance of MGL Ch.59, Section 5K-Senior Tax Work Off Amendment (Board of Assessors)

To see if the Town will vote to amend its acceptance of Massachusetts General Law, Chapter 59, Section 5K by withdrawing the acceptance of the local option MGL Ch. 59, Section 5K, (2), or take any other action thereon.

Article Information – Chapter 50 of the Acts of 2023 Section 2. Amended the maximum allowable Real Estate tax reduction to \$2,000. The Town had previously elected to adopt a 125 hour standard that allowed for a maximum reduction of \$1,875. The law restricts compensation to minimum wage thus will allow for 133 hours at minimum wage for a total of \$1,995. The Town pays for this program out of the overlay account. The motion for this article requires a simple majority vote.

ARTICLE 27: Home Rule Petition – Bidding Requirements Exemption (Affordable Housing Trust)

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court to

enact legislation exempting the Town from bidding requirements for certain affordable housing projects in Town in substantially the form below; provided however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments ; or take any other action relative thereto.

AN ACT RELATIVE TO BIDDING REQUIREMENTS FOR CERTAIN AFFORDABLE PROJECTS IN THE TOWN OF WESTBOROUGH

Provided that the General Court may be reasonably vary the form and substance of this requested legislation which shall be within the scope of the general public objectives of this petition, be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The Westborough Affordable Housing Trust (“Trust”), or any a limited liability company, corporation, or limited partnership owned, controlled, or managed by the Trust, or any successor in interest, shall be exempt from any general or special law related to the procurement and award of contracts for the planning, design, construction management, construction, reconstruction, installation, demolition, maintenance or repair of public buildings by a public agency, including but not limited to G.L. c.149, §§44A-44H, G.L. c.30, §39M and G.L. c.7C, §§44-58, with respect to the following properties located in the Town of Westborough: 6 Beach Street, identified by the assessors’ as parcel 21-177-0, and 45 High Street Extension, identified by the assessors’ as parcel ID: 27-171-0or any part thereof. Said exemption shall not include any exemption from the payment of prevailing wages to the extent required pursuant to G.L. c.149, §§26-27H, inclusive.

SECTION 2. A conveyance of the project, whether by leasehold or fee estate, to an urban redevelopment corporation organized pursuant to Chapter 121A of the General Laws or to a nonprofit state and federally tax-exempt corporation organizes for the purpose of or to a limited partnership or limited liability company whose primary purpose is to revitalizing the project, shall be subject to Chapter 30B of the General Laws to the extent that the project is conveyed to an entity that is not owned, controlled, or managed by the Trust or any successor.

SECTION 3: This act shall take effect upon its passage.

Article Information – This Home Rule Petition would exempt these development projects from the extensive procurement processes under Massachusetts General Laws Chapters 149, 30 and 7C, including those related to filed sub-bids for the contracting on the project. The petition provides the Trust with flexibility and the ability to qualify for low-income housing tax credit programs and to be market-competitive with private-sector projects. The petition does not include any exemption from the sections of the law that provide for certain wage rates and preferences in hiring. Should the Trust decide to transfer the property to an entity for development that is “owned, controlled, or managed” by the Trust, the disposition of the property would be exempt from the public procurement procedures of MGL Chapter 30B. Should the Trust decide to transfer the property to any other type of entity, MGL Chapter 30B would apply. The motion for this article requires a simple majority.

ARTICLE 28: Amend General Bylaws- Article 7 Finance Department (Select Board)

To see if the Town will vote to amend Section 1 of Article 7 of the General bylaws by deleting the strikethrough and adding the bold italicized text, as follows:

Section 1 Finance Department and Finance Director

There shall be a Finance Department, to include the functions and departments of the Town Accountant, Treasurer/Collector, and Assessing, to be headed by and under the supervision of a Finance Director. ~~The Town Accountant, appointed under Section 4-2(b)(iii) of the Town Charter by the Town Manager with the concurrence of the Board of Selectmen, shall serve as the Finance Director and be referred to as such for purposes of these bylaws.~~ Except as otherwise provided by the Town Charter, the Finance Director shall have all of the powers and duties of a town accountant under the General Laws of the Commonwealth of Massachusetts, ~~and such additional powers and duties as may from time to time be assigned to the Finance Director by the Town Manager, Charter, Bylaws or vote of the Town Meeting.~~

Article Information –The Finance Director currently also serves as the Town Accountant. Approval of this article will remove the Town Accountant responsibilities from the Finance Director position. This will allow the Town to create a separate Town Accountant position. The motion for this article requires a simple majority vote.

ARTICLE 29: Amend General Bylaws- Article 18 Community Development Department (Select Board)

To see if the Town will vote to amend Section 1 of Article 18 of the General bylaws by deleting the strikethrough and adding the bold italicized text, as follows:

Section 1 Community Development Department and Community Development Director

There shall be a Community Development Department, to include the functions and departments of the Building, Economic Development, Sustainability and Conservation, to be headed by and under the supervision of a Community Development Director. The office of Community Development Director shall be filled by appointment of the Town Manager. The Community Development Director is responsible for overseeing and coordinating the Town’s development activities in cooperation with the Town Planner and the Planning Board. The Community Development Director supervises the Building Commissioner, Conservation Director, and Economic Development Coordinator, or other such title as may be given to the heads of these departments, and ***except as otherwise provided by the Town Charter, the Community Development Director shall have all of the powers and duties as may from time to time be assigned to the Community Development Director by the Town Manager, Charter, Bylaws or vote of the Town Meeting.*** ~~may also perform the functions of a Building Commissioner, as set forth and pursuant to their respective job descriptions.~~

Or take any other action thereon.

Article Information –The Community Development Director currently also serves as the Building Commissioner. Approval of this article will allow removal references to Building Commissioner and will more broadly allow for the Community Development Director to be assigned other responsibilities. The motion for this article requires a simple majority vote.

ARTICLE 30: Amend General Bylaws- Article 64 Demolition of Historical or Architecturally Significant Buildings in the Town of Westborough (Historical Commission)

To see if the Town will vote to amend Section 3 of Article 64 of the General bylaws by deleting the strikethrough and adding the bold italicized text, as follows:

Section 3 Procedure

- (A) Within seven (7) days of receipt of an application for a demolition permit for a structure built prior to 1950, the Commissioner shall forward a copy thereof to the Commission. No demolition permit should be issued at that time. (ATM 2004)

- (B) Within ~~fifteen (15)~~ ***thirty (30)*** days from the receipt of a demolition permit application, the Commission shall either declare that the building is of no historical or architectural interest or set the date for a public hearing to determine whether such building is of historical or architectural significance. The notice of such public hearing shall be sent to the applicant and posted on the Town’s website. Further, the applicant for such permit, at its own cost and expense, shall send a copy of the notice, by registered or certified mail, to any and all property owners within 300 feet of the subject property. A copy of such notice shall also be delivered to all Town Boards and Commissions. The applicant shall provide evidence of the above to the Historical Commission at least seven (7) days prior to the date of the scheduled Public Hearing.

If the Commission determines the structure is not a significant building the Commission shall notify the Commissioner in writing and the Commissioner may issue a demolition permit.

If the building is determined to be of historical or architectural significance, then the Commission shall so advise the applicant and the Commissioner, in writing. The Commissioner, shall then not issue a demolition permit for a period of two- hundred and seventy (270) days from the date of the Commission’s decision, unless the Commission informs the Commissioner prior to the expiration of such two-hundred and seventy (270) days that, in its opinion, the Commission has found that the applicant has made a diligent effort to save the subject building and has been unsuccessful, or the applicant has agreed to accept a demolition permit on specified conditions approved by the Commission and the Commissioner.

- (C) Upon completion of the procedure set forth in Sections 3(a) and 3(b) of this Article, where an historically significant property is to be demolished, a member or representative of the Historical Commission shall, prior to the start of demolition, be given copies or be allowed to photograph all elevations, any outbuildings and the property in relation to roads and adjacent properties.

Or take any other action thereon.

ARTICLE 31: Amend General Bylaws - Article 32 – Non-Zoning Wetlands Protection (Conservation Commission)

To see if the Town will vote to amend the General Bylaws, Article 32 Non-zoning Wetlands Protection by striking out the existing bylaw and replacing it with the following:

SECTION 1 PURPOSE & RELATION TO THE WETLANDS PROTECTION ACT

- A. The purpose of this bylaw is to protect the wetlands, water resources, flood prone areas, and adjoining upland areas in the Town of Westborough, Massachusetts by regulating activities deemed by the Conservation Commission likely to have a significant or cumulative effect on resource area values, including but not limited to the following: public or private water supply, groundwater supply, flood control, erosion and sedimentation control, storm damage prevention, water quality, prevention and control of pollution, fisheries, wildlife habitat, rare species habitat including rare plant and animal species, agriculture, aquaculture, and recreation values, deemed important to the community (collectively, the "Bylaw Resource Values").
- B. This bylaw is intended to utilize the Home Rule authority of this municipality so as to protect the resource areas under the Wetlands Protection Act (G.L. Ch. 131 § 40; the Act) to a greater degree, to protect additional resource areas beyond the Act recognized by the Town as significant, to protect all resource areas for their additional values beyond those recognized in the Act, and to impose in local regulations and permits additional standards and procedures stricter than those of the Act and regulations thereunder (310 CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth and other relevant bylaws of the Town of Westborough, Massachusetts.

SECTION 2 JURISDICTION

- A. Except as permitted by the Conservation Commission, or as provided in this bylaw, no person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the resource areas as stated below, collectively the "Bylaw Resource Areas". Said resources shall be protected whether or not they border surface waters.
 - Marsh
 - Vernal pool
 - Pond, regardless of size
 - Land under reservoirs, lakes, ponds, rivers, creeks, or streams
 - Any wetland bordering any of the aforementioned areas
 - Land subject to flooding or inundation by groundwater or surface water
 - Land within 100 feet of aforementioned resource areas, known as the Buffer Zone
 - Land within 200 feet of perennial rivers and streams, known as Riverfront Area
 - Wet meadow
 - Bank
 - River
 - Bog
 - Reservoir
 - Stream
 - Swamp
 - Lake
 - Creek
- B. The jurisdiction of this bylaw shall not extend to uses and structures of agriculture that enjoy the rights and privileges of laws and regulations of the Commonwealth governing agriculture, including work performed for normal maintenance or improvement of land in agricultural or aquacultural uses as defined by the Wetlands Protection Act regulations, under MGL 310 CMR 10.04.

SECTION 3 DEFINITIONS

- A. Except as otherwise provided in this bylaw or in the accompanying regulations, the definitions of terms in this bylaw shall be as set forth in the Wetlands Protection Act, MGL Ch 131 Sec 40, as amended, or regulations promulgated thereunder.
- B. The following definitions shall apply in the interpretation and implementation of this bylaw.
ALTER: Shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by this bylaw:

- (1) Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind.
- (2) Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics.
- (3) Drainage, or other disturbance of water level or water table.
- (4) Dumping, discharging, or filling with any material which may degrade water quality.
- (5) Placing of fill, or removal of material, which would alter elevation.
- (6) Driving of piles, erection, expansion or repair of buildings, or structures of any kind.
- (7) Placing of obstructions or objects in water.
- (8) Destruction of plant life including cutting or trimming of trees and shrubs.
- (9) Changes of temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters that lead to impairment of the resource.
- (10) Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater.
- (11) Incremental activities which have, or may have, a cumulative adverse impact on the resource areas protected by this bylaw.
- (12) Any changes to the rate or volume of stormwater runoff into any resource area under the jurisdiction of this commission.

PERSON: Shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town bylaws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

SECTION 4 EXEMPTIONS

The applications and permits required by this bylaw shall not be required for the types of work outlined below, provided that the notifications and accompanying procedures are followed as stated.

- A. Agricultural Use: Work performed as normal maintenance or improvement of land in agricultural and aquacultural use as defined by the Wetlands Protection Act regulations in 310 CMR 10.04 or for mosquito control projects.
- B. Utilities: Maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph, or other telecommunication services, provided that written notice has been given to the Conservation Commission prior to commencement of work, and provided that the work conforms to any performance standards and design specifications pursuant to the regulations adopted by the Commission.
- C. Emergency Projects: Emergency projects necessary for the protection of the health and safety of the public, provided that (1) the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; (2) advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; (3) the Commission or its agent certifies the work as an emergency project; (4) the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and (5) within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice

and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

- D. Other Exemptions: Unless stated otherwise, the exemptions provided in the Wetlands Protection Act (MGL Ch. 131 § 40) and its associated regulations [310 CMR 10.02(2)(b)2a to q] shall not apply under this bylaw.

SECTION 5 APPLICATIONS & FEES

- A. Written applications shall be filed with the Conservation Commission to perform activities affecting resource areas protected under this bylaw. The applications shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected under this bylaw. No activities shall commence without receiving and complying with a permit issued pursuant to this bylaw.
- B. Notice of Intent (NOI): The Commission shall accept as the application and plans under this bylaw, the NOI and accompanying plans filed under the Wetlands Protection Act (MGL Ch. 131 § 40), together with other such information and plans as is required under this bylaw and the associated regulations.
- C. Request for Determination of Applicability (RDA): Any person desiring to know whether a proposed activity or an area is subject to this bylaw may in writing request a determination from the Commission. The Commission shall accept a (RDA) as a request under this bylaw. The request shall include information and plans as are deemed necessary by the Commission.
- D. Abbreviated Notice of Resource Area Delineation (ANRAD): Any person desiring to certify, for the purposes of this bylaw, the limits of resource areas on a site may file a request for wetland delineation. The Commission shall accept an ANRAD under the Wetlands Protection Act as a request under this bylaw. The request shall include information and plans to describe and define the wetland resource areas as deemed necessary by the Commission.
- E. Fees: At the time of the application submittal, the applicant shall pay filing fees as specified in the regulations associated with this bylaw, in addition to the fees required by the Wetlands Protection Act. Upon written request, the Commission may waive the filing fee for an application or request filed by a government agency. At the expense of the applicant, the Commission may retain independent consultants, including engineers, wetlands scientists, wildlife biologists or other experts, for the purpose of providing the Commission with data, analysis, or other information to aid in the review of proposed projects, pursuant to the provisions of MGL Ch 44.

SECTION 6 NOTICES & HEARINGS

- A. As appropriate, the Commission may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act, MGL Ch. 131, Sec 40, as amended.
- B. Notice to Abutters: Any person filing an application with the Conservation Commission, except a Request for Determination of Applicability (RDA), shall at the same time give written notice thereof, by certified mail (return receipt requested) or hand delivery, to all abutters at their mailing addresses shown on the most recent applicable tax list of the Assessor's Office, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the proposed project location, including any in another municipality or across a body of water. The notice shall state a brief description of the proposed project, date of the hearing, and where copies of the application with plans may be examined and obtained by abutters. An affidavit of the person providing such notice, along with a copy of the notice mailed or delivered,

shall be filed with the Commission. When a person filing a RDA application is other than the property owner, a hearing notice and the determination itself shall be sent by the Commission to the property owner as well as to the person making the request.

- C. **Coordination with Other Boards:** Any person filing an application with the Conservation Commission shall provide a copy thereof at the same time, by certified mail (return receipt requested) or hand delivery, to the Planning Board and Town Engineer. At its discretion, the Commission may require notification be provided to other boards, at the applicant's expense. A copy shall be provided in the same manner to the Commission of the abutting municipality, if the permit application pertains to property within 300 feet of that municipality. An affidavit of the person providing notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The above boards shall have seven (7) days to provide written comments and recommendations to the Commission, which the Commission shall consider, but which shall not be binding on the Commission. The Commission shall have the discretion to extend the time to submit written comments and recommendations from the above boards and officials. The applicant shall have the right to receive any comments and recommendations and to respond to them during the public hearing process, prior to the close of the public hearing.
- D. **Public Notice & Hearing:** The Commission shall conduct a public hearing on any permit application, with written notice given at the expense of the applicant, at least five business days prior to the hearing, in a newspaper of general circulation in the municipality. The Commission shall commence the public hearing within 21 days from receipt of a complete permit application, as stipulated in the regulations associated with this bylaw, unless an extension is authorized in writing by the applicant. The hearing under the bylaw may be continued in the same manner and conditions as under the Wetlands Protection Act and its regulations.
- E. **Findings:** The Commission shall issue its permit, denial, or other findings in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

SECTION 7 PERMITS & CONDITIONS

- A. If the Conservation Commission, after a public hearing, determines that the activities which are the subject of the application, are likely to have a significant cumulative effect on the resource area values protected by this bylaw, the Commission, within 21 days of the close of the hearing, shall issue or deny a permit for the activities requested. The Commission shall take into account the extent to which the applicant has avoided, minimized and mitigated any such effect. The Commission also shall take into account any loss, degradation, isolation, and replacement or replication of such protected resource areas elsewhere in the community and the watershed, resulting from past activities, whether permitted, unpermitted or exempt, and foreseeable future activities.
- B. If it issues a permit, the Commission shall impose conditions which the Commission deems necessary or desirable to protect the resource area values, and all activities shall be conducted in accordance with those conditions. The Commission shall be empowered to deny a permit for: (1) failure to meet the requirements of this bylaw and the associated regulations; (2) failure to submit necessary information and plans as requested by the Commission; (3) failure to comply with the procedures, design specifications, performance standards, and other requirements as specified in the regulations associated with this bylaw; (4) failure to avoid, minimize or mitigate unacceptable significant or cumulative effects upon the resource area values protected by this bylaw; and/or (5) where no conditions are adequate to protect the resource area values. Due consideration shall be given to any demonstrated hardship to the applicant by reason of denial, as presented at the public hearing.

- C. A permit shall expire three (3) years from the date of issuance. Notwithstanding the above, the Commission, in its discretion, may issue a permit expiring five years (5) from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Additionally, a permit may be conditioned such that certain requirements shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all present and future owners of the land. The Commission may extend a permit, except for a Determination of Applicability (DOA), for one or more periods up to three (3) years each, upon written request made at least 30 days prior to the expiration of the permit. Amendments to permits shall be handled in the manner outlined in the Wetlands Protection Act and its accompanying regulations.
- D. For good cause, the Commission may revoke or modify a permit issued under this bylaw.
- E. The Commission, in an appropriate case, may combine the decision issued under this bylaw with the decision issued under the Wetlands Protection Act.
- F. No work proposed in any application shall be undertaken until the permit, except for a DOA issued by the Commission with respect to such work has been recorded at the Worcester Registry of Deeds or, if the land affected is registered land, in the Registry Section of the Land Court for the Worcester District, and until the holder of the permit certifies in writing to the Commission that the document has been recorded.

SECTION 8 REGULATIONS

After public notice and public hearing, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw, effective when voted and filed with the Town Clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw. At a minimum, these regulations shall define key terms in this bylaw not inconsistent with this bylaw.

SECTION 9 SECURITY

As part of a permit issued under this bylaw, in addition to any security required by any other municipal or state board, agency, or official, the Conservation Commission may require that the performance and observance of the conditions imposed thereunder, including conditions requiring mitigation work, be secured wholly or in part by one or both of the methods described below:

- A. By a proper bond, deposit of money or negotiable securities under a written third-party escrow arrangement, or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole upon issuance of a Certificate of Compliance (COC) for work performed pursuant to the permit that has been recorded with the Registry of Deeds.
- B. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

SECTION 10 ENFORCEMENT

- A. No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by this bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise

fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this bylaw.

- B. The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.
- C. The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, noncriminal citations under MGL Ch. 40 § 21D, and civil and criminal court actions. Any person who violates provisions of this bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations and/or may be fined.
- D. Upon request of the Commission, the Select Board and Town Counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal action for enforcement under criminal law.
- E. Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.
- F. Any person who violates any provision of this bylaw, the accompanying regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300 per offense. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.
- G. As an alternative to criminal prosecution in a specific case, the Commission may issue citations with specific penalties pursuant to the non-criminal disposition procedure set forth in MGL Ch. 40 § 21D, which has been adopted within Article 31 of the Town Bylaws.

SECTION 11 BURDEN OF PROOF

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application will not have unacceptable significant or cumulative effect upon the resource area values protected by this bylaw. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

SECTION 12 APPEALS

A decision of the Conservation Commission shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with MGL Ch. 249 § 4, as amended.

SECTION 13 SEVERABILITY

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or decision previously issued.

Or take any other action thereon.

Article Information: The current version in effect and a red-line edited version of proposed changes are available with the Conservation Department and the Town Clerk as well as online. The motion for this article requires a simple majority vote.

ARTICLE 32: Amend Zoning Bylaw and Zoning Map - MBTA Communities Multi-family Overlay District (Planning Board)

To see if Town will vote to amend the Westborough Zoning Bylaws to establish a Multi-Family Housing Overlay District in compliance with the Commonwealth’s Multi-Family Housing Requirement for MBTA Communities (M.G.L. Chapter 40A, Section 3A), as follows: (1) add to Section 4.0 (Zoning Districts) the MBTA Communities Multi-Family Zoning Overlay District (MCMOD); (2) add to Section 4.2 (Official Zoning Map) the MBTA Communities Multi-Family Zoning Overlay District, which consists of three overlay subdistricts. The amendments will be as follows (deletions are shown in ~~strikeout~~ and additions in ***bold italics*** for emphasis only).

1. Add to Section 4.1 (Establishment of Districts), the following:

<i>MBTA Communities Multi-family Overlay District</i>	<i>MCMOD (See § 4.11)</i>
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2. Amend the official zoning map referenced in Section 4.2 to include the following overlay districts:

MBTA Multi-family Districts

1. ***MF District 1 Gleason Street***
2. ***MF District 2 Turnpike Road A***
3. ***MF District 3 Turnpike Road B***

3. Add Section 4.11 MBTA Communities Multi-Family Zoning Overlay District as follows (all language is new, but not shown in ***bold italics***)

A. Purpose

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). The requirements set forth herein shall be applied so as to encourage the development of multi-family housing projects of a scale, density and aesthetic that are compatible with existing surrounding uses and minimize impacts to sensitive land. To the extent possible, multi-family housing shall allow for safe, accessible, and convenient access to transit stations for pedestrians and bicyclists.

B. Scope and Authority

This MCMOD is an overlay district having a land area of approximately 95.59 gross acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map.

1. **Sub-districts.** The boundaries of the MFHOD are depicted on the Zoning Map on file with the Town Clerk. The MFHOD is further divided into three subdistricts: Gleason Street Subdistrict, Turnpike Road A Subdistrict, and Turnpike Road B Subdistrict, as depicted on the Zoning Map and described herein.
2. **Applicability of MCMOD.** The provisions of the Multi-Family Housing Overlay District (MFHOD) shall apply to all land within the MFHOD and shall apply uniformly to all subdistricts except as expressly distinguished in this Article. Any matter not addressed herein shall be governed by the provisions of the Zoning Bylaw applicable to

underlying zoning districts. In the event of any inconsistency between the provisions of the MFHOD and any other provisions of the Zoning Bylaw, the provisions of the MFHOD shall govern. The provisions of this Zoning Bylaw pertaining to those zoning districts underlying this overlay district shall remain in effect.

3. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right or by special permit in the MCMOD. Uses that are not identified in Section 4.11 (D) are governed by the requirements of the underlying zoning district(s).

C. Definitions. For purposes of this Section 4.11, the following definitions shall apply.

1. **Affordable unit.** A multi-family housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.
2. **Affordable housing.** Housing that contains Affordable Units as defined by this Section 4.11 (C).
3. **Applicant.** A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.
4. **Area Median Income (AMI).** The median family income for the metropolitan statistical region that includes the Town of Westborough, as defined by the U.S. Department of Housing and Urban Development (HUD).
5. **As of right.** Development that may proceed under the Zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.
6. **Compliance Guidelines.** *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.
7. **EOHLC.** The Massachusetts *Executive Office of Housing and Livable Communities*, or any successor agency.
8. **Development standards.** Provisions of Section K. General Development Standards made applicable to projects within the MCMOD.
9. **Lot.** An area of land with definite boundaries that is used or available for use as the site of a building or buildings.
10. **MBTA.** Massachusetts Bay Transportation Authority.
11. **Mixed-use development.** Development containing a mix of residential uses and non-residential uses, including, commercial, institutional, or other uses.
12. **Multi-family housing.** A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.
13. **Multi-family zoning district.** A zoning district, either a base district or an overlay district, in which multi-family housing is allowed as of right.
14. **Residential dwelling unit.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
15. **Section 3A.** Section 3A of the Zoning Act.
16. **Site plan review authority.** Planning Board.

17. **Sub-district.** An area within the MCMOD that is geographically smaller than the MCMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.
18. **Subsidized Housing Inventory (SHI).** A list of qualified Affordable Housing Units maintained by DHCD used to measure a community's stock of low-or moderate- income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.
19. **Transit station.** An MBTA subway station, commuter rail station, or ferry terminal.
- a. **Commuter rail station.** Any MBTA commuter rail station with year-round, rather than intermittent, seasonal, or event-based, service.
 - b. **Ferry terminal.** The location where passengers embark and disembark from regular, year-round MBTA ferry service.
 - c. **Subway station.** Any of the stops along the MBTA Red Line, Green Line, Orange Line, or Blue Line.
- D. Uses Permitted As of Right.** The following uses are permitted as of right within the MCMOD.
- a. **Multi-family housing.**
 - b. **Mixed-use development.** Development under this section may include a mixture of uses, combining those already allowed in the zone and those multifamily housing uses allowed by special permit pursuant to the Zoning Bylaws. However, no mixed-use development shall have industrial uses in the same building, or on the same lot, as residential uses.
- E. Site Plan Review.** Site plan review shall apply to all uses in the MFHOD in accordance with Section 3.0 Site Plan Review of the Westborough Zoning Bylaw. Section K (General Development Standards) will be used as the criteria in the Site Plan Review process.
- F. Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning Bylaw, the dimensional requirements applicable in the MCMOD are as follows:

Standard	Gleason Street	Turnpike Road A	Turnpike Road B
Minimum Lot Size	10,000 SF	15,000 SF	15,000 SF
Building Height	4 stories	4 stories	4 stories
Lot Coverage	60%	60%	60%
Minimum Open Space Requirement	40%	40%	40%
Minimum Lot Frontage	125 ft	125 ft	125 ft
Front yard Setback	25 ft	25 ft	25 ft
Side yard Setback	15 ft	25 ft	25 ft
Rear yard Setback	25 ft	25 ft	25 ft
Maximum Dwelling Units per Acre (DU/AC)	12 DU/AC	14 DU/AC	40 DU/AC

G. Multi-Building Lots. In the MCMOD, lots may have more than one principal building.

H. Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

I. Exceptions: Renewable Energy Installations. The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in Section 4.11 (F) Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

J. Off-Street Parking. These parking requirements are applicable to development in the MCMOD.

1. Number of parking spaces. The following **maximum** numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Maximum Spaces
Multi-family	2 spaces per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	Sum of uses computed separately. Please refer to Section 8.1 (Parking and Loading Requirements) and Section 4.11(J)(4) below.

2. Number of bicycle parking spaces. The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	0.5 spaces per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	2 spaces per 5,000 sq.ft.

3. Bicycle storage. For a multi-family development of 25 units or more, or a mixed-use development of 25,000 square feet or more, covered parking bicycle parking spaces shall be integrated into the structure of the building(s).

4. Shared Parking within a Mixed-Use Development. Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted

methodologies.

K. General Development Standards.

1. All applications must meet all applicable dimensional, density, design, drainage, safety, parking, signage, lighting, and other land use standards and regulations set forth in this bylaw for the underlying zone, except for those standards that are specifically modified by the Planning Board in its review of the application for Site Plan Review.

2. **Site Design.** Unless modified in accordance with the above Subsection K(1), the following specific site and construction standards shall be observed in the development of a MCMOD project:

Roadways/pedestrian access. Where intended for dedication and acceptance by the Town, the principal roadway(s) serving the site shall be designed to conform to the standards of the Subdivision Regulations and any other relevant standards of the Town unless otherwise required by the Planning Board. Private ways shall be adequate for intended vehicular, including public safety vehicle, access and pedestrian traffic and shall be maintained by an association of unit owners or by the applicant. It is intended that a sidewalk network will be provided throughout the MCMOD area that interconnects all dwelling units with other dwelling units, nonresidential uses, common open spaces, parking areas, transportation centers and major activity areas adjacent to the zone in which MCMOD is permitted. The Planning Board may require construction of on-site or off-site sidewalks, footpaths or bicycle paths. Access to off-site areas is required, particularly to permit safe and convenient pedestrian and/or bicycle access to nearby amenities.

3. **Buildings: Multiple buildings on a lot.**

- a. For a mixed-use development, uses may be mixed within the buildings or in separate buildings.
- b. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- c. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.
- d. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
- e. The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.

4. **Buildings: Mixed-use development.**

- a. In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.
- b. Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable.

- c. Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
 - d. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- 5. Buildings: Shared Outdoor Space.** Multi-family housing and mixed-use development shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace. All outdoor space shall count towards the project's minimum Open Space requirement.
- 6. Buildings: Principal Façade and Parking.** Parking shall be subordinate in design and location to the principal building façade.
- a. **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
 - b. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
 - c. **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use development shall be subordinate in design and placement to the multi-family or mixed-use building(s) on the lot.
- 7. Waivers.** Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this Section K. General Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

L. Affordability Requirements

1. Purpose.

- a. Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
- b. Provide for a full range of housing choices for households of all incomes, ages, and sizes; and
- c. Increase the production of affordable housing units to meet existing and anticipated housing needs.

- 2. Applicability.** This requirement is applicable to all residential and mixed-use developments with ten (10) or more dwelling units, whether new construction, substantial rehabilitation, expansion, or reconstruction. No project may be divided or phased to avoid the requirements of this section.

3. Affordability requirements.

- a. **Subsidized Housing Inventory.** All units affordable to households earning 80% or less of AMI created in the MCMOD under this section must be eligible for listing on DHCD's Subsidized Housing Inventory.

b. **Provision of Affordable Housing.** In Applicable Projects, not fewer than 20% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to 80% of the AMI.

4. Development Standards. Affordable Units shall be:

- a. Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- b. Dispersed throughout the development;
- c. Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- d. Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
- e. Distributed proportionately among unit sizes; and
- f. Distributed proportionately across each phase of a phased development.
- g. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

5. Administration.

The Zoning Enforcement Officer/Building Commissioner shall be responsible for administering and enforcing the requirements in this section.

M. Severability. If any provision of Section 4.11 is found to be invalid by a court of competent jurisdiction, the remainder of Section 4.11 shall not be affected but shall remain in full force. The invalidity of any provision of this Section 4.11 shall not affect the validity of the remainder of the Town of Westborough's Zoning.

or take any other action thereon.

Article Information: This article updates the zoning bylaw to bring Westborough into compliance with the MBTA Communities Multifamily Zoning requirements under Section 3A of the Zoning Act (the "Guidelines"). The Guidelines require Towns that the EOHLC has designated as a "Commuter Rail Community" to submit zoning that is in accord with the Guidelines to the EOHLC by December 31, 2024.

Since the Guidelines were released, the Planning Department and Planning Board have worked closely together to develop zoning that complies with this new law. Through a technical assistance grant, the

Town hired a consultant, RKG Associates, to complete a Compliance Analysis and Economic Feasibility Analysis.

The Guidelines further required that the district(s) must total at least 50 acres in size with 50% of the total acreage comprising contiguous land. At least 20% of the district acreage must be located within the half-mile transit station area. No single district can be smaller than 5 acres in size.

Using the MBTA Communities Compliance Model, the three subdistricts proposed were tested. Based on each districts' location, size, and zoning parameters it was found that the current configuration of these three districts and the associated zoning parameters will provide Westborough with enough land area, units, and density to exceed the requirements of Section 3A. There is also enough land and unit capacity within the half-mile transit station area to exceed the specific station area requirements. The motion for this article requires a simple majority vote.

ARTICLE 33: Fund Afro Caribbean Festival (By Petition)

Afro Caribbean festival

To see if the Town will vote to transfer from Free Cash the sum of Three Thousand Five Hundred Dollars (\$3,500), or such other amount as the Town Meeting may approve, for the annual Afro Caribbean festival at Bay State Commons celebration to be expended by the Westborough Afro Caribbean festival at Bay State Commons Committee under the direction of the Select Board, or take any other action thereon. To be held at the end of August or beginning of September 2024.

Article Information This article pays the cost for the annual Afro-Caribbean Festival's celebration. The motion for this article requires a simple majority vote. Afro-Caribbean Festival's mission is to celebrate, showcase, heritage and promote local and international talents from the Afro-Caribbean Diaspora. We are excited to announce our 1st annual Afro-Caribbean Cultural Festival 2024, which we will be celebrating and is taking place at the end of August or beginning of September 2024. The Afro-Caribbean Cultural Festival is a step towards the elimination of discrimination, racism, and prejudice. It is festivals and events like these that are beneficial in promoting community support, multiculturalism, and equity initiatives. This interaction, through the inclusion and welcoming of diverse Americans, will help to increase participants' sense of belonging and attachment to America. Porta potties, police, fire, ambulance, dj, electrical power.

ARTICLE 34: Removal of LGBTQ+ iconography from Westborough Schools (By Petition)

Removal of lgbtq+ iconography from Westborough Schools . To see if the town will vote on a non-binding petition to remove lgbtq+ iconography from Westborough Schools. Political organizational messages and/or social organizational movements flyers/stickers/iconography/murals/banners/flags have no place in Westborough Schools.

Article Information Room 39 at Gibbons Middle School is an outlandish example of the horrific indoctrination/grooming occurring in Westborough schools, we have toured the site with Amber Bock superintendent but were not allowed to photo document the tour. A photo documentation has been done in the hallways of Westborough High School and the photos can be found at <https://flickr.com/photos/34200761@N03/> boydconklin For the seventy foot long six foot high lgbt rainbow banner transgender white pink blue banner mural here is the link:

<https://flickr.com/photos/34200761@N03/53240313793/in/dateposted-public/> The grooming continues at Westborough Schools and now 22% of Westborough High School students identify as lgbtq+. Why should there be hundreds of advertizements for lgbtq+ distributed throughout the Westborough schools, to our most vulnerable children/youth who can be easily groomed into lgbtq+ as can be seen by the ever increasing percentages it captures. We don't advertize cigarettes in the school, why is lgbtq+ allowed to be advertized relentlessly. No one is asking for the persecution of lgbtq+, we are asking for the removal of the lgbtq+ promotional materials, as has been done in all town owned buildings.

<https://www.zerohedge.com/political/almost-30-gen-z-adults-claim-theyre-queer-new-poll-finds> And finally, Gen Z adults are significantly more likely than older generations to identify as gay, lesbian, bisexual, or something else, with 28% identifying as LGBTQ, compared with 16% of millennials, 7% of Generation X, 4% of baby boomers, and 4% of the Silent Generation. In other words, the queerness of society is approximately doubling every generation." Why? Advertizing/grooming/indoctrination.

ARTICLE 35: End Westborough Schools' Anti-Racism Initiatives (By Petition)

To see if the Town will vote on a non-binding petition to end Westborough Schools' anti-racism initiatives or take any other action thereon.

Article Information We no longer believe that Westborough's administration and School Committee have any of our children's best interests at heart. Moreover, we no longer have confidence that our children will receive the quality of education necessary to further their development into a critically thinking, responsible, enlightened, and civic minded adult. As a fellow parents/community members we share our reasons for taking to task the Westborough schools community but also to urge you to act before the damage to the school, to its community, and to your own child's education is irreparable. It cannot be stated strongly enough that Westborough school's obsession with race must stop. It should be abundantly clear to any thinking parent that Westborough school has completely lost its way. The administration and the School Committee have displayed a cowardly and appalling lack of leadership by appeasing an anti-intellectual, illiberal mob, and then allowing the school to be captured by that same mob. What follows are our own personal views on Westborough schools antiracism initiatives, but these are just a handful of the criticisms that I know other parents have expressed. I object to the view that I should be judged by the color of my skin. I cannot tolerate a school that not only judges my children by the color of their skin, but encourages and instructs them to prejudge others by theirs. By viewing every element of education, every aspect of history, and every facet of society through the lens of skin color and race, we are desecrating the legacy of Dr. Martin Luther King Jr., and utterly violating the movement for which such civil rights leaders believed, fought, and died. I object to the charge of systemic racism in this country, and at our school. Systemic racism, properly understood, is segregated schools and separate lunch counters. It is the interning of Japanese and the exterminating of Jews. Systemic racism is unequivocally not a small number of isolated incidences over a period of decades. Ask any child, of any race, if they have ever experienced insults from friends, have ever felt slighted by teachers or have ever suffered the occasional injustice from a school at which they have spent up to 13 years of their life, and you are bound to hear grievances, some petty, some not. We have not had systemic racism against Blacks in this country since the civil rights reforms of the 1960s, a period of more than 50 years. To state otherwise is a flat-out misrepresentation of our country's history and adds no understanding to any of today's societal issues. If anything, longstanding and widespread policies such as affirmative action, point in precisely the opposite direction. I object to a definition of systemic racism, apparently supported by Westborough schools, that any educational, professional, or societal

outcome where Blacks are underrepresented is prima facie evidence of the aforementioned systemic racism, or of white supremacy and oppression. Facile and unsupported beliefs such as these are the polar opposite to the intellectual and scientific truth for which Westborough schools claims to stand.

Furthermore, I call bulls*** on Westborough's oft-stated assertion that the school welcomes and encourages the truly difficult and uncomfortable conversations regarding race and the roots of racial discrepancies. I object to the idea that Blacks are unable to succeed in this country without aid from government or from whites. Westborough schools, by adopting critical race theory, is advocating the abhorrent viewpoint that Blacks should forever be regarded as helpless victims, and are incapable of success regardless of their skills, talents, or hard work. What Westborough schools is teaching our children is precisely the true and correct definition of racism. Modified from: Warrior Against the Woke at Brearley TOTAL HERO Andrew Gutmann stood up to anti-white racists at elite private school.

ARTICLE 36: Bar Gender-Affirming Care for Minors (By Petition)

Barring gender-affirming care for minors . To see if the town will vote on a non-binding petition to Bar gender-affirming care for minors in Westborough. No hormone blockers, no cross hormone therapy, no surgical procedures. Dress however you like and change your name at will are allowed.

Article Information Maybe teens aren't depressed because of phones but because, in Taylor Lorenz's words, " we're living in a late stage capitalist hellscape during an ongoing deadly pandemic with record wealth inequality, 0 social safety net/job security, as climate change cooks the world." The doomer narrative pushed at Westborough schools. So what do our teachers, pediatrians, pharma, doctors, psychiatrists, hospitals offer the depressed youth, gender dysphoria, the latest money making social contagion. You can't groom them too young, let's tell you all the lgtq+ options in preschool afterall it's all about inclusion, no one should feel left out, what are your pronouns now, no need to fret you can always change them again after recess. Transhausin by proxy, mothers not getting enough attention from their peers, a trans child is your ticket to being the buzz of the neighborhood. Sure your child gets sterilized and mutilated but think of the intersectionality you gain. Average profit for the psych/pharma/medical industrial complex a hundred thousand per victim in today's dollars, soon to be two no doubt, get that marketing department to work, it's almost the end of the quarter. No wonder the American Medical Association (AMA)/American Psychiatric Association (APA)/American Academy of Pediatrics (AAP) are all on board. Were preventing suicide they and the school administrators and the teachers say, alas there is no data to prove it, the data they have is full of holes. Keep you mouth shut and your head down and take the money, don't rock the boat, you know what the teachers union will do if you don't push the narrative.

ARTICLE 37: End Westborough Town and Schools' Probable Future Mandates (By Petition)

To see if the Town will vote on a non-binding petition to end Westborough town and schools' probable future mandates for vaccination, vaccine passports, masking, remote learning, social distancing, business closures and restricting access or take any other action thereon.

Article Information – Five ethical objections to mandatory vaccination during COVID-19 pandemic, including that mandatory vaccination violates the Nuremberg Code, that it is coercive, that it violates informed consent, that it is discriminatory, and that it infringes civil liberties. The Nuremberg Code is a set of principles for the ethics of human experimentation delineated in the 1947 Nazi doctor case of United States v. Brandt et al. Principle one emphasizes that voluntary consent is essential for human

participation in research. Vaccination mandates violate the Nuremberg Code because COVID-19 vaccines are ‘experimental’ and because mandates undermine the voluntariness of informed consent. Coercive policies use force or threats to compel individuals to do something they would not otherwise do [4]. Mandatory vaccination compels people to get vaccinated by, for instance, threatening them with job loss or a fine if they aren’t vaccinated, and are thus coercive, and hence, unethical. Vaccination is a medical intervention for which there is an ethical and legal requirement to obtain informed consent, which must be given voluntarily. Mandatory vaccination violates informed consent because the consent is not voluntary. Mandatory vaccination imposes restrictions or sanctions on individuals who are unwilling to be vaccinated. This discriminates against people just because they are unvaccinated. The imposition of direct or indirect restrictions or sanctions via vaccination mandates interferes with civil liberties, including the right to liberty, privacy, and bodily integrity, which renders them unethical. Modified from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10127050/> Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.” –John Adams In the course of human events it sometimes becomes necessary to admonish the lawless, encourage the fainthearted, and strengthen the weak. We have reached just such a time in our history. The affairs of our nation are now steeped in avaricious corruption and our once stalwart institutions, including the United States Food and Drug Administration (FDA), Center for Disease Control and Prevention (CDC), National Institute of Health (NIH), World Health Organization (WHO), American Medical Association (AMA), are failing to fulfill the moral obligations upon which they were founded. Standing upon our natural and constitutional rights, we hereby apprise the American people that we have exhausted all internal efforts to rectify recent criminal activity within the United States. In the Declaration of Independence our founding fathers sought separation. We seek no separation, but through this letter and the efforts we pledge herein, we pursue restoration through accountability. We intend to rebuild trust and restore the rule of law, particularly within the United States. Ultimately, we strive to once again become a moral people, restoring our nation, and making it again worthy of the great gift of liberty won by the colonial-era American people. While implementing the COVID-19 vaccine mandate, leaders broke the law, trampled constitutional rights, denied informed consent, permitted unwilling medical experimentation, and suppressed the free exercise of religion. Public members and families were significantly harmed by these actions. Their suffering continues to be felt financially, emotionally, and physically. Some public members became part of our ever-growing veteran homeless population, some developed debilitating vaccine injuries, and some even lost their lives. In an apparent attempt to avoid accountability, public leaders are continuing to ignore our communications regarding these injuries and the laws that were broken. These individuals enabled lawlessness and the unwilling experimentation on public members. The moral and physical injuries they helped inflict are significant. They betrayed the trust of the American people. Their actions caused irreparable harm to the America and the institutions for which Americans have fought and bled. These leaders refused to resign or take any other action to hold themselves accountable, nor have they attempted to repair the harm their policies and actions have caused. We intend to rebuild trust by demonstrating that leaders cannot cast aside constitutional rights or the law for political expediency. Our nation was once great because it was good. It was built on moral principles founded in natural law and yet, the recent acceleration of moral relativism has us headed towards a precipitous implosion. While all good things come to an end, we refuse to allow our nation to go quietly into the depths of decadence and decay. We promise to exhaust all moral, ethical, and legal means to restore the rule of law and will begin by attempting to hold leaders accountable. The Constitution is the supreme law of our land. We will fight to enforce that law and put an end to the two- tiered justice system. May future generations see our efforts and, God willing, may

they also be recipients of the great gift of liberty that we have had the honor of safeguarding. Modified from: <https://www.docdroid.com/zwy8Bmx/declaration-of-military-accountability-pdf>

ARTICLE 38: Senior Center Preservation (By Petition)

Senior Center Preservation. To see if the town will vote on a non-binding petition to leave the Senior Center alone and not move the location, keep it as it is where it is.

Article Information We in town value the current location and building and do not want to relocate to the 1500 Union St. community center in the process of build out. We don't want are beautiful senior center turned into another affordable housing complex by the Westborough Affordable Housing Trust. The bait and switch process is already coming to light, the Council On Aging (Senior Center) was promised more square footage initially and it appears, that has turned into the same square footage in recent public forums. We do not want to be located in the middle of an urban parking lot. If we want to mix it up with the youngsters we'll visit you. They paved paradise and put up a parking lot With a pink hotel, a boutique, and a swingin' hot spot Don't it always seem to go That you don't know what you've got 'til it's gone? They paved paradise, put up a parking lot They took all the trees, put 'em in a tree museum And they charged the people a dollar and a half just to see 'em...

ARTICLE 39: Golf Club Preservation (By Petition)

Golf Clubhouse Preservation. To see if the town will vote on a non-binding resolution to leave the golf club building alone. Repair as needed, no heat pumps, no conversion of natural gas heating to electric, no electric rewiring for massive electric heating load, no need to worry about retrofitting the balloon walls at this time. Fix the few trouble spots where the roof is currently leaking from ice dams and such. Bring Civic Kitchen back or similar.

Article Information There are those in authority positions in Westborough that feel compelled to electrify the town for "Climate Change" AKA "Zero Carbon" "Netzero" so in my opinion they feel the golf clubhouse must be destroyed to save it. I think we can save it without destroying it. Cost effectively, and put it back into service as a restaurant to serve the community as it did in the recent past before the plumbing altercation occurred recently.

<https://www.westboroughma.gov/DocumentCenter/View/2826/121-West-Main-Street-Survey-Form>
Town/City: Westborough Place: (neighborhood or village): Address: 121 West Main Street Historic Name: Moses and Matilda Pollard House / Westborough Country Club / Bay State Abrasive Products Co. Club Uses: Present: Clubhouse Original: Single Family Residence Date of Construction: ca. 1871 Source: Allen, 1984 Style/Form: Greek Revival / Colonial Revival Architect/Builder: Not Known Exterior Material: Foundation: Stone; Concrete Wall/Trim: Vinyl Siding over wood clapboards / Wood Trim, Vinyl Trim Roof: Asphalt Shingles Outbuildings/Secondary Structures: Shed Major Alterations (with dates): Porch added (1922); Shed dormers added to rear ell (after 1921); Pro Shop added (1995); Vinyl windows (21st C) Condition: Fair Moved: no yes Date: Acreage: 109.7 Setting: Located on a golf course at the edge of downtown amid single-family dwellings and a church.

ARTICLE 40: Library Cost Effective Repair (By Petition)

Library Cost Effective Repair To see if the town will vote on a non-binding resolution to leave the library building alone. Repair as needed, roofs, windows, carpets, no heat pumps, no conversion of natural gas heating to electric, no electric rewiring for massive draw of electric heating.

Article Information There are those in authority positions in Westborough that feel compelled to electrify the town for "Climate Change" AKA "Zero Carbon" "Netzero" so in my opinion they feel the library must be electrified. I think we can cost effectively repair it. The town has just purchased the 1500 Union St. property to function as a community center so there is no reason to go forward with the community center plan on the library site. The slate roofing on the original 1908 building can be removed, the roof sheeting and fascia replaced/repared as needed, and the slate tiles reinstalled. The roof on the addition can be redone also. The windows can be repaired or at a time without causing any downtime in the library operations. Parking easements perhaps can be renegotiated with the church next door. We will soon see the third iteration of the pig with different lipstick, it is still the same pig, how many times must the town vote down this same project from LPA/A and Vertex that the library trustees and library building committee relentlessly present?

ARTICLE 41: New Affordable Housing Units Located Equally Throughout Town (By Petition)

To see if the Town will support a resolution that all new affordable housing units in Westborough be located equally throughout the entire town.

Article Information We on the other side of the tracks are concerned that the Westborough Affordable Housing Trust has a penchant for keeping all affordable housing units out of the Westborough Affordable Housing Trust members backyards and so to counter the NIMBY Not In My Back Yard behavior of the trust we would like to see them sharing the wealth of the Diversity Equity and Inclusion that they so often harp on in their necks of the woods not just in the swamps that they have managed to distance themselves from.

ARTICLE 42: Repeal Storm Water Tax (By Petition)

the Storm water tax

To see if the Town will vote on a non-binding petition to repeal the storm water tax.

Article Information This article makes null and void the Storm water tax. The Department of Public Works (DPW) can put an article on the warrant as they have always done in the past for the required funds it needs. DPW can put an article on the warrant to have a fund on which they can draw for grant proposals as cash on hand and/or for emergency project funding as DPW sees fit. There is absolutely no reason to beleaguer the taxpayers with yet another tax bill, we already have a property tax bill and vehicle tax bills to pay. This tax is being sold to the citizenry on the premise as "equity", please enough already with the equity. We are paying taxes, we are paying for all the DPW does, this is just another way for the management of Westborough to appear to have a lower tax rate then it actually does, by setting up a separate account distant from the property tax encumbrance. We were informed at the onset of the community forums on this issue by DPW that it could be terminated at anytime, that DPW and the select board just had a vendor that would help them get a better understanding of the implications and benefit and presumably downsides since some towns in our vicinity had adopted storm water taxes.

ARTICLE 43: Returning Public Library fireplace room to Community Use (By Petition)

To see if the town will vote on a non-binding petition to have the Westborough Public Library return the front fireplace room to community use, or take any other action thereon. Teens are in school 180 days per year, 8-2:30pm, and this most welcoming location in our Public library should be returned to

use for all.

Article Information: The Teen reading room was expanded last year to encompass the entire front entrance area of the library. Adults/Seniors have long enjoyed the front fireplace room to read periodicals and complete other work. While this lovely space with natural daylight has been adjacent to the Teen section for many year, many object that it has been taken away from the community for the exclusive use of the Teens.

Signage currently states: “TEENS ONLY 6-12th Graders: While patrons of all ages are welcome to browse and check out materials from this Young Adult Collection, the use of tables and furniture with this room is exclusively for the use of teen patrons. The Library reserves the right to utilize the Teen Zone for scheduled teen programs, events and gaming activities.”

Taxpayers would like the new beanbag chairs, adjustable height stools, posters and signage relocated to another space for Teens and have the tables and proper chairs returned for adults. There is plenty of room in the library for the Teens to congregate and speak in hushed tones to one another like everyone else. If Teens would like to share the tables and chairs in the fireplace room, it should be on a space available basis.

ARTICLE 44: Establish an Opt-In process for Sex Education (By Petition)

To see if the town will vote on a non-binding petition to require the Westborough Public Schools to develop an Opt-In process to rectify the inadequacies of the current Opt-Out process, or take any other action thereon. The current Opt-Out process utilizes silence as a form of consent Approval would request the Westborough School Dept to provide a full list of optional content, course and surveys per grade to parents/guardian for review. All associated curriculum content and survey questions should be made available in order for parents/guardians to make fully informed decisions. Parents/Guardians need adequate time to review provided content and give consent by “Opting-In”.

Article Information:

Under Massachusetts General Law Chpt 71, Section 32A, parents/guardians are notified by schools of curriculum which primarily involves human sexual education or human sexuality issues. This law affords parents or guardians the flexibility to exempt their children from any portion of said curriculum through written notification to the school principal. Currently, parents/guardians are inundated with emails, texts and app notifications of varying degrees of important making it difficult to decipher communications requiring further attention and/or consent. Sensitive topics to be covered are regularly simplified into bullet points that are void of curriculum realities and associated video/internet content.

The proposed Opt-In process protects the rights of parents and/or guardians. While some parents/guardians do not object to an expansive range of open discussions on human sexuality, many feel strongly that these matters are best discussed at home.

Parents/Guardians are entitled to the full content related to instruction on Sex Education and LGBTQ+sexuality/Gender Theory as it is communicated in varying ways in grades K-12. Since incidences of anxiety, depression and gender dysphoria are rising among Westborough students, parents/guardians need to be fully aware of the manner in which sensitive topics are conveyed to their children.

Why now? Gender Theory is highly debated on a national level. Gender Theory is not taught in the schools’ science biology lessons because it is not a settled science. Instead, content is taught under “Health & Wellness”, as social emotional learning.

This new content disrupts the natural evolution of the developing mind. Students learn that there are many genders and that to align their thoughts with their body is to change their pronouns, seek affirmation from fellow students and/or teachers, take hormones or seek gender affirming surgeries. Parents need to be fully aware of this content.

ARTICLE 45: Establish a “Townie Baby” award to encourage current residents of Westborough, who were born in Westborough, to start families and to have children.

To see if the town will vote on a non-binding petition for the establishment of a taxpayer-funded award to encourage current residents of Westborough , who were born themselves in Westborough, to start families and have children. The award is \$1000 per child. The intention and goal of the award is to encourage family creation by Westborough residents who were born here, with the over-arching goal of keeping cultural longevity of the common shared values of the community. Furthermore, this effort hopes to encourage local families to stay here, thus preserving the shared cultural and historic ‘memory’ of Westborough, its collective knowledge base, and its heritage.

Article information:

ARTICLE 46: Establish a “No Political Bias” education teaching standard for teachers and those employed by the School Department.

To see if the town will vote on a non-biding petition for the education of students to be focused on establishing critical thinking skills on the wide range of key issues covered in elections and for the election of political candidates. This would apply to local, state and federal elections. Teachers and other educators should demonstrate no political bias for one candidate over another, or one position, while on school property or by using social media that uses his/her/their professional or elected titles/positions.

Article information:

Given under our hands the ___th day of February in the year Two Thousand and Twenty-Four.

Sean Keogh, Chair

Patrick Welch, Vice Chair

Allen Edinberg

Ian Johnson

Shelby Marshall

SELECT BOARD OF WESTBOROUGH

\Worcester, ss

I have this day served the within Warrant by posting up attested copies thereof at the Town Library Bulletin Board and Town Hall Bulletin Board in said Westborough and by mailing a copy thereof to the residence of the Town Moderator all on February ____, 2024.

s/Constable of Westborough

\Worcester, ss

Attest:

Town Clerk

904067/WBOR/0275